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FIFTY-EIGHTH LEGISLATURE

**SIXTY-SIXTH LEGISLATIVE DAY
WEDNESDAY, MARCH 15, 2006**

Senate Chamber

President Risch called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Cameron, Coiner, Goedde, Langhorst, Lodge, Pearce, Stegner, Stennett, and Sweet, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Kyle Raese, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 14, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Coiner, Lodge, and Pearce were recorded present at this order of business.

March 15, 2006

The JUDICIARY AND RULES Committee reports that **S 1448** and **SJM 120** have been correctly printed.

DARRINGTON, Chairman

S 1448 was referred to the State Affairs Committee.

SJM 120 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 14, 2006

The JUDICIARY AND RULES Committee reports that **S 1256**, **S 1258**, **S 1302**, **S 1303**, and **S 1304** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1256**, **S 1258**, **S 1302**, **S 1303**, and **S 1304** and ordered them transmitted to the House for the signature of the Speaker.

March 14, 2006

The JUDICIARY AND RULES Committee reports that **S 1243**, as amended, **S 1386**, as amended, and **S 1423**, as amended, have been correctly engrossed.

DARRINGTON, Chairman

S 1243, as amended, **S 1386**, as amended, and **S 1423**, as amended, were filed for first reading.

Senators Goedde, Stegner, and Stennett were recorded present at this order of business.

March 14, 2006

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1243**, **S 1386**, **H 648**, **H 624**, **H 561**, **S 1423**, and **H 673** have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 14, 2006

The FINANCE Committee reports out **H 788** with the recommendation that it do pass.

CAMERON, Chairman

H 788 was filed for second reading.

March 14, 2006

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 652**, **H 653**, and **H 722** with the recommendation that they do pass.

ANDREASON, Chairman

H 652, **H 653**, and **H 722** were filed for second reading.

March 14, 2006

The TRANSPORTATION Committee reports out **HCR 56** with the recommendation that it do pass.

BRANDT, Chairman

HCR 56 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 14, 2006

The TRANSPORTATION Committee reports out **H 562**, as amended, with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

BRANDT, Chairman

H 562, as amended, was filed for second reading.

March 14, 2006

The AGRICULTURAL AFFAIRS Committee reports out **H 514**, **H 515**, and **H 599** with the recommendation that they do pass.

WILLIAMS, Chairman

H 514, **H 515**, and **H 599** were filed for second reading.

March 14, 2006

The AGRICULTURAL AFFAIRS Committee reports out **H 513** and **H 412** with the recommendation that they do pass and with the recommendation that they be placed on the Consent Calendar.

WILLIAMS, Chairman

H 513 and **H 412** were filed for second reading.

March 14, 2006

The HEALTH AND WELFARE Committee reports out **H 734** with the recommendation that it do pass.

COMPTON, Chairman

H 734 was filed for second reading.

March 14, 2006

The EDUCATION Committee reports out **H 712** with the recommendation that it do pass.

GOEDDE, Chairman

H 712 was filed for second reading.

March 14, 2006

The EDUCATION Committee reports out **S 1418** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, **S 1418** was referred to the Fourteenth Order of Business, General Calendar.

March 15, 2006

The EDUCATION Committee reports out **H 743** with the recommendation that it be referred to the State Affairs Committee.

GOEDDE, Chairman

There being no objection, **H 743** was referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 14, 2006

Mr. President:

I transmit herewith Enrolled **HJM 13**, **H 615**, **H 533**, as amended in the Senate, and **H 601**, as amended in the Senate, for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HJM 13**, **H 615**, **H 533**, as amended in the Senate, and **H 601**, as amended in the Senate, and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Lodge, granted by unanimous consent, **SCR 132** retained its place on the calendar for one legislative day.

Senators Cameron, Langhorst, and Sweet were recorded present at this order of business.

The President announced that **HCR 47** was before the Senate for final consideration.

Moved by Senator Stegner, seconded by Senator Werk, that **HCR 47** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--Burkett, Schroeder. Total - 2.

Total - 35.

Whereupon the President declared **HCR 47** adopted, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 60** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stegner, seconded by Senator Stennett, **HCR 60** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **SCR 130** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bunderson, seconded by Senator Stennett, **SCR 130** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that **HCR 36** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Stennett, seconded by Senator Davis, **HCR 36** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HCR 37** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burtenshaw, seconded by Senator Stennett, **HCR 37** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that **HJM 14** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Langhorst, seconded by Senator Little, **HJM 14** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The President announced that **HJM 20** was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Little, seconded by Senator Stennett, **HJM 20** was adopted by voice vote, title was approved, and the memorial ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1449
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE ALLOCATION OF SALARY SAVINGS; DIRECTING THE TRANSFER OF FUNDS FROM THE DEPARTMENT OF FINANCE; DIRECTING THE TRANSFER

OF FUNDS FROM THE IDAHO TRANSPORTATION DEPARTMENT; DIRECTING STATE MATCHING FUNDS TO THE TREASURE VALLEY SPECIAL U.S. ATTORNEY DEMONSTRATION PROJECT; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES OF THE GENERAL FUND; SETTING FORTH THE CONDITIONS FOR THE REAPPROPRIATION; AND DECLARING AN EMERGENCY FOR SECTIONS 4 AND 5 OF THIS ACT.

**S 1450
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2006; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

**S 1451
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO BOND PAYMENTS; DIRECTING THE TRANSFER OF MONEYS ON OR AFTER JULY 1, 2006; DIRECTING THE TRANSFER OF MONEYS ON OR AFTER JANUARY 1, 2007; AND DIRECTING ALLOCATION OF SALARY SAVINGS.

**S 1452
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2007; AND APPROPRIATING MONEYS FROM THE GENERAL FUND TO THE GUARDIAN AD LITEM FUND.

S 1449, S 1450, S 1451, and S 1452 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 648, as amended in the Senate, by Commerce and Human Resources Committee, was read the first time at length and filed for second reading.

H 624, as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

H 561, as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

H 673, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1243, as amended, by Brandt, was read the first time at length and filed for second reading.

S 1386, as amended, by Resources and Environment Committee, was read the first time at length and filed for second reading.

S 1423, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1443, S 1444, S 1445, S 1146, and S 1447, by Finance Committee, were read the second time at length and filed for third reading.

H 766, H 767, H 782, and H 783, by Appropriations Committee, were read the second time at length and filed for third reading.

H 636, H 546, and H 576, by Resources and Conservation Committee, were read the second time at length and filed for third reading, Consent Calendar.

H 637 and H 544, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

H 716, by State Affairs Committee, was read the second time at length and filed for third reading.

H 472, as amended, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

H 634, as amended, by Judiciary, Rules, and Administration Committee, was read the second time at length and filed for third reading.

S 1427, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1429 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1429** passed, title was approved, and the bill ordered transmitted to the House.

S 1442 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1442** passed, title was approved, and the bill ordered transmitted to the House.

S 1283 was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Schroeder and Brandt arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Cameron, Coiner, Compton, Corder, Darrington, Fulcher, Gannon, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Malepeai, Marley, McGee, Richardson, Schroeder, Stennett, Sweet, Werk, Williams. Total - 26.

NAYS--Burkett, Burtenshaw, Geddes, Little, Lodge, McKenzie, Pearce, Stegner. Total - 8.

Absent and excused--Davis. Total - 1.

Total - 35.

Whereupon the President declared **S 1283** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 9 a.m., Thursday, March 16, 2006.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary